

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

FILED  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.

UNITED STATES OF AMERICA

★ DEC 09 2014 ★

WAIVER OF SPEEDY TRIAL

-v-  
Philip Kenner and

LONG ISLAND OFFICE

13-cr-607 (JFB)

Tommy Constantine X

It is hereby stipulated that the time period from 12/9/14 to 3/24/15 be excluded in computing time within which trial of the charges against the Defendant(s) must commence.

The parties agree to the exclusion of the foregoing period for the purpose(s) of:

- ☐ engagement in continuing plea negotiations;
- ☐ examination of the Defendant(s) pursuant to 18 U.S.C. §§ 3161(h)(1)(A) regarding mental or physical capacity;
- ☒ submission of pretrial motions through hearing or other disposition pursuant to 18 U.S.C. § 3161 (h)(1)(F); and/or

☐ \_\_\_\_\_

The Defendant has been fully advised by counsel of his/her rights guaranteed under the Sixth Amendment to the U.S. Constitution; the Speedy Trial Act of 1974, 18 U.S.C. §§ 3161-74; the Plan and Rules of this Court adopted pursuant to that Act; and Rule 50 of the Federal Rules of Criminal Procedure. The Defendant understands that he/she has a right to be tried before a jury within a specified time period, not counting excludable periods.

The Court ☒ approves this Speedy Trial Waiver ☒ otherwise excludes the time based upon its findings that this action serves the ends of justice and outweighs the best interest of the public and this Defendant in a speedier trial.

SO ORDERED.

Dated: Dec. 9, 2015  
Central Islip, NY

Joseph F. Bianco, U.S.D.J.

Assistant U.S. Attorney or Special Assistant U.S. Attorney:

Defendant # 1:

Counsel:

Defendant # 2:

Counsel:

Defendant # 3:

Counsel:

Defendant # 4:

Counsel: